

Article - Environment

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§9–212.

(a) (1) As a condition precedent to the issuance by the Secretary of a permit for a landfill under this subtitle, the county or municipal corporation with jurisdiction over the landfill may require the owner of the site where the landfill is to be located to grant an option for the county or municipal corporation to purchase the site for open space or recreational purposes.

(2) An option required under this subsection expires on the earlier of:

(i) The date specified in the option; or

(ii) The date when the landfill ceases to be actively used.

(b) (1) If the county or municipal corporation with jurisdiction over the landfill does not require an option under subsection (a) of this section, the State may require an option for the State to purchase the site for open space or recreational purposes.

(2) If the county or municipal corporation with jurisdiction over the landfill requires but will not exercise an option under subsection (a) of this section, the State may exercise the option.

(c) Any option granted under this section is binding on any heir, representative, successor, or assign of the grantor.

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